

Remarks

Claims 1-9, 12, 14 and 15 are canceled. Claims 10, 11 and 13 are pending.

The Examiner indicates that claim 13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the previous Office Action and to include all of the limitations of the base claim and any intervening claims.

Claim 13 has been rewritten to include the subject matter of previous claims 9 and 12, which are now canceled. Claim 10 has been amended to be dependent on claim 13. Claim 13 has also been rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, as described below.

The Examiner rejects claims 9 to 13 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that there is insufficient antecedent basis for the limitation "said tag" in line 6 of claim 9. Claim 13 has been amended to state that the method includes "receiving a data packet tagged according to an encapsulation scheme and including a tag and a port or channel ID". Applicant submits that this provides proper antecedent basis for the term "said tag" now found in currently amended claim 13, formerly in claim 9.

The Examiner also rejected claim 11, stating that "flow context" is recited more than two times in the claim, and that it is unclear which "flow context" is recited in the last line. Claim 11 has been amended to specify that the third step comprises "fetching said flow context from said flow database". The Applicant submits that this provides clarity regarding the final step of "outputting said flow context", and making clear the fact that it is the same flow context referred to throughout the claim.

The Examiner rejects claims 1-2 under 35 U.S.C. 103(a) as being unpatentable over Masuda et al. (US 6,678,474) in view of Akahane et al. (US 2006/0126644). Claims 1-2 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Lemieux et al. (US 2004/0017796) in view of Akahane et al. The Examiner further objects to claims 4-5, 7-8 and 14-15 under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. (US 6,222,848) in view of Narvaez (US 2004/0258062) and further in view of Hofmeister et al. (US 2004/0156313). Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. in view of Buskirk et al. (US 2002/0191543) and further in view of Hofmeister et al. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. in view of Buskirk et al. and further in view of Hofmeister et al. and Katzman et al. (US 2004/0034759). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayward et al. in view of Buskirk et al. and further in view of Hofmeister et al., Katzman et al. and Narvaez.

Applicant submits that the above claim rejections to claims 1-2, 4-5, 7-9, 12 and 14-15 under 35 U.S.C. 103(a) are moot in view of the cancellation of those claims.

With regard to the rejection of claims 10 and 11, the Applicant advises that claim 13 is now the sole independent claim in the application, and that the Examiner indicated that this claim would be allowable if rewritten in independent form to include subject matter of all the base claims and all intervening claims, as has been done by way of this amendment. Accordingly, claims 10 and 11, which now depend ultimately on claim 13, are also allowable.

The Applicant submits that the present application is now in condition for allowance and looks forward to receiving a Notice of Allowability.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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